IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2703 OF 2007

Ganesh Arun Dangat ..Applicant
V/s.
The State of Maharashtra ..Respondent

Ms.Revati Mohite-Dere, advocate, for applicant
Ms.M.H.Mhatre, Assistant Public Prosecutor, for the State

CORAM : V.C.DAGA, J.

DATE : 11TH SEPTEMBER, 2007

P.C.

1. Heard learned counsel for applicant and learned Assistant Public Prosecutor for the State.

2. By this application, moved under section 439 of the Criminal Procedure Code, the applicant is seeking bail in connection with C.R.No.145/2006, registered with Talegaon Police Station, Pune for the offence punishable under section 395 read with section 34 of the Indian Penal Code.

3. The case of the applicant is that he is

falsely implicated in the present case. Neither identification parade was conducted nor any recovery is made from the applicant.

4. Learned counsel for the applicant submits that applicant has already been released on bail in another C.R. Bearing No.263/2006 registered with Dehuroad Police Station, Pune as there was no material to connect him with the offence of preparation to commit dacoity. She further submits that two other co-accused namely Sachin Tukaram Dangat and Vijay Machindra Sathe have been released by this Court on bail vide order dated 2nd August, 2007. She, thus, seeks grant of bail on the basis of parity. In the above view of the matter, I am inclined to grant bail to the applicant, subject to following conditions :

a) The applicant, arrested in connection with C.R.No.145/2006 registered with

Talegaon Police Station, Pune shall be enlarged on bail in the sum of Rs.25,000/- each with one or two local sureties to make up the said amount.

b) The applicant shall report to the Talegaon Police Station once in a week, i.e.on every Friday between 3.00 to 5.00 p.m. till the conclusion of the trial.

c) The order of bail will be given effect only after the applicant furnish to the investigating officer the details about his place of residence and address where he proposes to stay after he is enlarged on bail. The applicant will not change his residential address thereafter till the conclusion of trial without prior intimation to the investigating officer.

d) The applicant shall not directly or

indirectly, make any inducement or threat or pressurise any prosecution witnesses and shall not in any manner tamper with the prosecution evidence.

e) The applicant shall co-operate with the investigating agency for disposal of the case. It is needless to mention that breach of any of the conditions by the applicant shall result in cancellation of bail.

f) Any observation made in this order shall not be construed as finding or expression on merits of the case at the time of trial.

g) Application stands disposed of accordingly.

(V.C.DAGA, J.)